

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MEGHAN PIPER JOHNSON, REBECCA
PARDUE and RODENELLIE PLUVIOSE, on
behalf of themselves and all other persons
similarly situated,

Plaintiffs,

v.

BODY & POLE, INC. and KYRA
JOHANNESSEN,

Defendants.

Case No. 22-CV-00857 (VSB)

Judge Vernon S. Broderick

**NOTICE OF UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF THE PROPOSED CLASS AND
COLLECTIVE ACTION SETTLEMENT**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Benjamin Rudolph Delson, Esq., dated November 9, 2022, the exhibits annexed thereto, the accompanying memorandum of law in support of the unopposed motion for preliminary approval of the settlement agreement, and all the pleadings and proceedings heretofore had herein, the undersigned, without opposition, moves this Court, before the Hon. Vernon S. Broderick, United States District Judge, in the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 518, New York, New York 10007, on a return date to be set by the Court, for an Order:

- (1) Preliminarily approving the settlement reached by the parties in this action as embodied in their Settlement Agreement And Release attached as Exhibit 1 to the Delson Declaration;

- (2) Provisionally certifying the following settlement class (the "Class") under Federal Rule of Civil Procedure 23 in connection with the settlement process: All individuals who were Work-Studies at Defendant Body & Pole, at any time from February 1, 2016 through the date of the Court's Order granting Preliminary Approval of the Settlement; and conditionally certifying the following Collective Action (the "Collective Action") under Section 216(b) of the Fair Labor Standards Act: All individuals who were Work-Studies at Defendant Body & Pole, at any time from February 1, 2019 through the date of the Court's Order granting Preliminary Approval of the Settlement;
- (3) Approving the proposed Notices to the members of the proposed Class attached to the Delson Declaration as Exhibits 2 and 3;
- (4) Appointing Meghan Piper Johnson, Rebecca Pardue and Rodenellie Pluviose as Class Representatives, Granovsky & Sundaresh PLLC as Class Counsel, and Arden Claims Service LLC as the Settlement Administrator;
- (5) Instructing the parties to appear before this Court for a Final Approval and Fairness Hearing; and
- (6) For such other and further relief as the Court may deem just and proper.

A proposed order is attached to the Delson Declaration as Exhibit 7.

Dated: New York, New York
November 9, 2022

Respectfully Submitted,

GRANOVSKY & SUNDARESH PLLC

/s/ Benjamin Rudolph Delson

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